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APPENDIX.

No. I.

CORRESPONDENCE,

READ TO THE ACADEMY, JANUARY 27TH, AND FEBRUARY 24TH, 1845,

FROM

THE MINUTES OF COUNCIL.

I.

“ Dublin Castle, 18th Jan., 1845.

“ GENTLEMEN,—I am directed by the Lord Lieutenant to transmit the accompanying statement, which has been received from Sir William Betham, for any observations the Council of the Royal Irish Academy may wish to offer for his Excellency’s information.

“ I am, Gentlemen, your obedient Servant,

“ ELIOT.

“ *The Secretaries to the
Royal Irish Academy, &c. &c.*”

“ Dublin Castle, 15th Jan., 1845.

“ MY LORD,—I take the liberty of drawing your lordship’s attention, and that of Her Majesty’s Government, to the following brief statement of facts.

“ In the year 1830, the Council of the Royal Irish Academy put an advertisement into the public journals, offering a premium of fifty pounds, with the Gold Medal, for the best Essay on the Origin and Use of the Round Towers of Ireland.

“ On the 17th December, 1832, they awarded the money and Medal to Mr. George Petrie, one of the members of the Council, for his Essay, as the best of those sent in. The

money was paid accordingly, and the medal was delivered. Mr. Petrie was then permitted to take away the manuscript, to prepare it for the Press; but he never returned it to the Council for publication, though frequently urged to do so. In the year 1840, eight years after the delivery and payment of this medal and prize, myself and other members of the Academy called upon the Council to account why this Essay, which had excited so much interest, had not as yet appeared in the Transactions. In reply, we were assured that it then was, or very shortly would be, in the Press.

“In July, 1844, we again inquired when the Essay was to appear, and were told it would be published by the 1st January, 1845. I, therefore, gave notice that I would move at the next meeting of the Academy for certain returns respecting the proceedings of the Council. On the 30th November these returns were laid on the table of the Academy, in compliance with my notice, without motion. By these returns it appears that the Council had permitted Mr. Petrie to enlarge his Essay (which, when read and adjudged, consisted of about fifty pages), so much as to occupy an entire volume of the Transactions (about 500 pages), and had expended £144 in wood-cut engravings, to illustrate it. They also appointed a committee to confer with Mr. Petrie (himself a member of Council), relative to the publication of his Essay on the Round Towers, who, on the 29th June, 1840, reported the following proposition from Mr. Petrie :

“ ‘*22nd June, 1840*

“ ‘I propose to supply the Academy with 400 or 450 copies of my Essay on the Round Towers, at thirty shillings per copy, printed in the form of the Transactions.

“ ‘Signed, GEORGE PETRIE.’

And the Committee recommended the Council to adopt the above proposal, and to request Mr. Petrie to send the work to Press immediately.

“The Council decided that the proposal was not sufficiently explicit, and ‘Resolved, that Mr. Petrie be allowed to substitute the following :

“ ‘ 29th June, 1840.

“ ‘ I propose to publish, at my own expense, my Essay on the Round Towers, as the twentieth volume of the Transactions, on condition that the Academy take from me 450 copies, at the rate of thirty shillings per copy ; the expense already incurred by the Academy for engravings to be deducted from the £675 to be paid for the 450 copies. It is, of course, understood, that the blocks for woodcuts are my property.

“ ‘ Signed, GEORGE PETRIE.’

‘ Resolved, that the proposal in the latter form be adopted.’

“ From this it appears, that the Council, in 1840, had alienated to Mr. Petrie the copyright of the Essay for which £50 had been paid, and a Gold Medal adjudged, in 1832 ! And further, had allowed that gentleman to print the work for his own benefit, virtually at the expense of the Academy ; for by the acceptance of the proposal of 29th June, 1840, the Council agreed to pay thirty shillings a copy for 450 copies of the volume, that being the selling price of the volumes of the Transactions, which amounts to £675, and includes the bookseller’s profit, which may be estimated at least at thirty-five per cent., thus making Mr. Petrie a present of £234 13s. 4d. of the Academy’s money, which would pay for a considerable edition for his own benefit, and which they might have saved, by printing the work themselves. It should here be observed, first, that it is contrary to the laws of the Academy to return the manuscripts even of unsuccessful competitors for prizes and medals, while they claim as property all Essays read at their ordinary meetings, and ordered to be printed ; and secondly, that the Council have no power to expend more than twenty pounds, without the consent of the Academy at large.

“ In March, 1832, the Council inserted another advertisement in the public journals, offering a premium of £50, and a Gold Medal, for the best Essay on the Remains of Ancient Military Architecture in Ireland.

“ In March, 1834, the Council awarded and paid the Gold Medal and premium aforesaid to the same Mr. George Petrie, himself a member of the Council, and the proposer of the question, as he was also of that of the Round Towers ; and, as in that case, he took away the manuscript, to prepare it for the Press ; but, from 1834, to the present hour, no step appears to have been taken by Mr. Petrie for its publication.

“ In the year 1838, Mr. Petrie read an Essay on Ancient Bells before the Academy, which was referred to the Council for publication ; for the embellishment of which, the sum of £31 10s. appears to have been paid to one artist, and £44 to another, for engraving copperplates to illustrate it ; which Essay has not appeared in the Transactions, nor does it appear that the Council have taken any steps for its publication.

“ In the year , another Gold Medal was awarded to the same Mr. Petrie, for what was called an Essay on Tarah, which was read before the Academy, as was alleged, by permission of Colonel Colby, it having been prepared, under the direction of the Ordnance Survey, by the persons employed thereon, of whom, I believe, Mr. Petrie was *one*. This work was certainly the production of several.

“ I have thought it right to lay these facts before your Lordship, in consequence of having failed in prevailing on the Council and the Academy to correct these deviations, as I consider them, from the correct mode of conducting the affairs, and disposing of the funds of the Academy intrusted to the Council. Your Lordship's letter to the Academy of the 23rd November, 1843, calling for an account of ‘ how far the objects of the Academy have been attained, and the circumstances under which the public grant to the Academy

has been made and continued to the Institution,' renders it necessary that Government should be in possession of correct information.

"The returns made to the Academy by the Council of 30th November, 1844, also contain statements of the assets, debts, and engagements of the Academy.

"I have the honour to be your Lordship's

"Obedient Servant,

"W. BETHAM, M. R. I. A.

"*To Right Honourable the
Lord Eliot, &c. &c.*"

II.

"*Royal Irish Academy,*

"23rd Jan., 1845.

"MY LORD,—In compliance with the desire of the Lord Lieutenant, as communicated to the Council of the Royal Irish Academy, in your Lordship's letter of the 18th of January, I am directed by the Council to offer the following observations for the information of His Excellency, with regard to the representations made by Sir William Betham to Her Majesty's Government, concerning the mode in which the business of the Academy has been conducted.

"The Council, in the first place, beg to say, that nothing would give them greater pleasure than an inquiry, on the part of the Government, into the management of the affairs of the Academy; that body, as is very well known, having for some years back displayed a degree of energy and efficiency, which has gained for it the entire confidence of the public. But an inquiry of such a kind, on the part of Sir W. Betham, is not a thing to be encouraged by the Council; and, that it is not a thing which the Academy are disposed to countenance, Sir W. Betham was given to understand, by a vote of the Academy, on the 13th of the present month, when he

attempted to bring forward there those charges against the Council, which he has since thought proper to carry before the Government.

“ In the next place, the Council have to express their great regret that the different Essays of Mr. Petrie, about which Sir W. Betham shows so much concern, have not yet been published ; but they beg to observe, that the peculiar circumstances of the case have thrown entirely into the author’s hands the publication of the Essay on the Round Towers of Ireland,—and that, while he is employed upon this, which is a very large work, it would be useless to press upon him the publication of the others. Mr. Petrie, however, has addressed to the Council a statement of the causes which have retarded the appearance of his Essays, and this statement is herewith transmitted to your Lordship.

“ The Council also take leave to transmit two Estimates—one from the Publishers of Mr. Petrie’s Essay on the Round Towers, the other from the Printer of that work. By the first of these it appears that the publishing price of the volume which Mr. Petrie has engaged to give to the Academy for thirty shillings (and the printing of which is now greatly advanced), cannot be less than two guineas, and is more likely to be $2\frac{1}{2}$ guineas. By the second estimate it appears that if the work were printed by the Academy, as a volume of its Transactions, the impression being limited, as usual, to 500 copies, each copy would cost the Academy above three pounds; that is, more than double the price for which Mr. Petrie has undertaken to supply it. Yet Sir W. Betham has not hesitated to state, that the Council have allowed Mr. Petrie ‘ to print the work for his own benefit, virtually at the expense of the Academy ;’ and that, by agreeing to pay him thirty shillings a copy for 450 copies, they have given him ‘ booksellers’ profit’—and have ‘ made him a present of £234 13s. 4d. of the Academy’s money, which would pay for

a considerable edition for his own benefit, and which they might have saved by printing the work themselves.'

"To show the illegal nature of the agreement entered into with Mr. Petrie, Sir W. Betham observes, 'that the Council have no power to expend more than £20, without the consent of the Academy at large.' But the Council have power to contract liabilities to any amount that may be necessary for bringing out the volumes of the *Transactions*. This is part of their office. They are not even obliged to bring such engagements under the notice of the Academy, until a grant of money is wanted to discharge them; but it so happens, that the agreement made with Mr. Petrie was laid before the Academy, along with other matters, at a stated meeting on the 16th of March, 1841, in a report which was then adopted, and ordered to be entered on the minutes. In this case no grant of money has been called for, as Mr. Petrie's part of the engagement is not yet fulfilled; nor has any sum, large or small, been expended in connexion with the *Essay on the Round Towers*, except what had been paid for engravings previously to the aforesaid agreement; which sum, by the terms of the agreement, is to be taken into account in the final settlement.

"Sir W. Betham further states, that 'it is contrary to the laws of the Academy, to return the manuscripts even of unsuccessful candidates for prizes and medals, while they claim as property all *Essays* read at their ordinary meetings and ordered to be printed.' It is true that it is part of a law of the Academy, that 'all communications shall be deemed the property of the Academy' (Chap. VII. Sect. 5, of the *By-laws*); but it is part of the same law, 'that the author of any communication may, by petition to Council, reclaim such communication, which shall be restored to him on said petition being granted.' And this law applies to every sort of communication.

"Sir W. Betham charges the Council with having 'alienated to Mr. Petrie the copyright of the Essay on the Round Towers.' But it is apparent, from the foregoing statements, that the most prudent course was to allow Mr. Petrie to publish the work at his own risk. Besides, it is not usual, nor does it seem very proper, in societies such as the Academy, to raise questions about copyright.

"The Council do not find any other charges brought by Sir W. Betham, of a kind proper to be noticed officially. On the tone and manner of Sir W. Betham's statements they refrain altogether from making any comment.

"I have the honour to be, my Lord,

"Your obedient Servant,

"J. MAC CULLAGH,

"*Secretary of the Academy.*

"*To the Right Honorable
the Chief Secretary for Ireland.*"

III.

"*Dublin Castle, 3rd Feb., 1845.*

"SIR,—I am desired by the Lord Lieutenant to acknowledge the receipt of your letter of the 23rd ult., containing observations with regard to representations made by Sir William Betham, respecting the mode in which the business of the Royal Irish Academy has been conducted.

"I am, Sir,

"Your most obedient humble Servant,

"C. LUCAS.

"*To James Mac Cullagh, Esq.,
Secretary Royal Irish Academy.*"

DOCUMENTS REFERRED TO IN THE REPLY OF COUNCIL.

1.

[Extract.]

“ To the President and Council of the Royal Irish Academy.

“GENTLEMEN,—I have the honour to address you in compliance with the request of the Secretaries of the Academy, that I would supply the Council with a statement of the circumstances which have caused so much delay in the publication of some Essays read by me at the Academy, as well as to explain other matters charged against me, in a letter addressed to Lord Eliot, Chief Secretary for Ireland, in order that it may be appended to the answer of the Council to that letter.

“In the first place, then, I beg to acknowledge, that whatever blame may be attached to the delay in the publication of these papers, it should fall alone on me; for the Academy has no power, either moral or legal, to force authors to print papers in its Transactions, if it be contrary to their wish or convenience to do so. The Academy, like all other institutions of the kind, has been chartered chiefly for the purpose of fostering science and literature, by giving facility to the publication of Essays considered valuable, but which, from their abstract or archæological nature, could not be given to the world without great probability, if not certainty, of pecuniary loss to their authors, by publishing them at their own risk; and hence it becomes a high honour to an author to be permitted to publish in its Transactions, if it be his wish or convenience to do so, but not an obligation on him if otherwise, or that he should prefer publishing on his own account. Such at least has been my impression on this matter, and such also has been the opinion of Sir William Betham, as often expressed while in friendship with me, and urged with a view to persuade me to do as he said he was

determined to do with his own papers, whenever they were of a sufficiently popular character to be likely to sell, namely, to publish on my own account and at my own risk ; and in accordance with which, he sent in his *Essay on the Gael and Cimbri* to the Academy, as an anonymous competition paper for the prize and Gold Medal, printed as an octavo volume, as it afterwards appeared, with only the addition of a title-page, and, as I believe, a preface and index. With this advice, however, being anxious to sustain and advance, if in my power, the character of the Academy by my labours, I never had any intention of complying ; and the delay which has occurred in the printing of my *Essays* has been entirely caused by circumstances over which I had no sufficient control.

“ And first, as regards my *Essay on the Round Towers*. This *Essay* did certainly, as Sir William Betham states, receive the reward of the Academy at the close of the year 1832 ; and I immediately afterwards applied myself to its preparation for publication by improving its matter and increasing its necessary illustrations, by every means in the power of a man who had to sustain a large family solely by the daily practice of his profession as an artist. But the labour was a great and a tedious one, and having soon after, perhaps imprudently for my own interests, accepted an employment as director under Captain Larcom of the orthographical and historical department of the Ordnance Survey of Ireland, formed in part with a view to the publication of memoirs to illustrate the map, its duties so entirely abstracted me as to put it wholly out of my power, while thus employed, to make the great number of drawings necessary to the illustration of the work ; nor was it possible to get them done by others. The chagrin which this circumstance necessarily caused me, was, however, considerably lessened by the circumstance, that, in consequence of the Council having, at the suggestion of Sir William Betham, and on the

score of economy, transferred the printing of its Transactions to another printer, their succeeding volume was such as to render it impossible for me, having a due regard to the appearance of works so extensively illustrated, to put any of my Essays into the volume of Transactions which followed.

“ It is also true that I received the prize and Gold Medal of the Academy, for an Essay on Irish Military Architecture, in March, 1834 ; and I believe it true that I, a member of the Council myself, was the proposer of this question, as well as that on the origin of the Round Towers, as Sir William Betham states with an obvious object. As questions for prize essays must originate with the Council, I had as much right to suggest them for approbation as another, and, in point of fact, I did, at the request of the Council, draw up a list of themes for dissertations on Irish History and Antiquities, from which they might select, similar to those relative to the history of Scotland, suggested to the learned of that country by the celebrated John Pinkerton, who remarks, that ‘ Scotland is certainly that country in Europe, if we except Ireland, in which national history and antiquities are most neglected.’ But amongst those questions there were many indeed, which I should never have thought of treating of,—as, for instance, the question, ‘ who were the Scoti ?’ which Sir William Betham induced the Council to propose, and in competition for the prize for which Sir William Betham sent in his printed volume, entitled, ‘ the Gael and Cimbri.’

“ I may also remark, that though I may have suggested to the Council the question on ‘ Irish Military Architecture,’ I never seriously contemplated competing for the prize offered, my time being occupied on the Ordnance Survey, till one week precisely before the day appointed for delivering in the papers, when, at the earnest solicitation of my friend, Captain Larcom, R. E., I was induced to write an Essay, as that gentleman will, I have no doubt, be ready to

testify. And with respect to the delay in the publication of this Essay, I should state, that I was at all times ready to undertake it, after the printing of the Transactions of the Academy repassed into the original hands, not only because it was an Essay of smaller size, and requiring fewer illustrations, but that I was even anxious to do so, as it would have been the proper precursor to my larger work, which relates to a later class of antiquities. With this desire of mine, however, the Council showed the strongest indisposition to comply ; and, consequently, I applied my mind, as much as circumstances would permit, to the preparation for the Press, of my Essay on the Round Towers. But being still employed on the Ordnance Survey, the time at my disposal was very limited, and it was not till the department in which I was employed, was finally broken up at the close of the year 1842, that I was enabled to give nearly my whole time and attention to the work, and commenced its printing. Since that period, I may say, I have done little else than labour at it. I have allowed myself no leisure for enjoyment or for exercise. In my devotion to it, I have reduced myself to poverty, and injured my constitution, perhaps irretrievably. And yet, all these efforts have only enabled me to see through the Press a volume of it, now on the eve of publication ; for the subjects treated of, in the copious manner which I conceived that they merited, have run the work to the extent of two volumes.

“ It is true, that many may say that they did not require a work of so elaborate a character ; but surely an author himself should be considered the best judge of what was necessary to his subject, at least till, by the publication of his work, he has enabled others to prove that he was in error.

“ With respect to the charge against the Council, for having permitted me to enlarge my Essay, I have only to say, that I am sure they did so from an anxious desire to promote,

to the best of their ability, one of the primary objects for which the Academy was instituted. And with respect to their agreement to take from me four hundred and fifty copies of my Essay, at thirty shillings per copy, I can safely state my conviction, that it was made solely with a view to the financial interests of the Academy, and without any regard to mine.

“ I must also state, that it is my conviction that they were driven to make this agreement with me, chiefly by Sir William Betham himself. When I commenced making the drawings in wood to illustrate the work, it was on the understanding with Council, that as the Academy did not publish with a view to gain, they would allow me the use of the wood-cuts, after the publication of their volume, to publish an edition of my Essay for my own advantage. But Sir William Betham's assertions before the Academy, that the publication of this work would reduce the institution to a state of bankruptcy, and his threats that he would, by an application to the Government, stop the payments to the wood-cutter, had the effect of inducing some members of the Council to propose, contrary to the practice of the Academy and the spirit of its institution, to publish such unlimited number of copies of my work as would repay the Academy, by their sale, the expense of its publication. To this proposal, which was nothing less than to resign for ever nearly the labour of a whole life, and which would still take me years of undivided attention to accomplish, I could not bring myself to agree, either as an individual whose interests were concerned, or as a member of the Academy, who had its honour at heart. Hence I made the proposal to supply the Academy with such a number of copies as the Council desired, at the rate of thirty shillings a copy; I, of course, obtaining thereby the copyright of my work, and the management of its publication; and by this agreement the Academy will get the work at considerably less than half what it would cost them to bring out an edition

of it of their usual number of five hundred copies, and are moreover saved from the expense of the paper and printing of fifty copies, always given to authors who publish Essays in the Transactions.

“ With respect to the delay in the publication of my Essay on the Ancient Irish Bells, which I wrote in compliance with the wish of the Academy, as conveyed to me from the Chair, by their former illustrious President, Bishop Brinkley, I have only to state, that the cause of that delay is solely attributable, since the plates were furnished, to my being wholly employed on the publication of my Essay on the Round Towers.

“ And lastly, with respect to the charge that my paper on the Antiquities of Tara Hill, was read by the permission of Colonel Colby, it having been prepared under his direction, for the Ordnance Survey, by the persons employed thereon, I have only to remark, that it is certainly true that I wrote and read the paper by permission of Colonel Colby, because, being employed in the Ordnance Survey at the time, I could not, with propriety, have written or read it without such permission ; but that it was my own work, assisted, as I have constantly been, by more competent Irish scholars than myself, and written expressly for the Transactions of the Academy, I have already given the most unquestionable evidence, namely, that of Colonel Colby and Captain Larcom, the directors of the Survey.

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	“ I have the honour to be, Gentlemen,
“ 21, <i>Great Charles-st.</i> ,	“ Your obedient Servant,
“ <i>Jan. 23rd</i> , 1845.”	“ GEORGE PETRIE.

2.

“ 104, *Grafton-street*,
“ 20th *January*, 1845.”

“ Hodges and Smith present their respects to the Secretary of the Royal Irish Academy, and in reply to his note

relative to the probable price of Mr. Petrie's work on the Round Towers, they beg to say, that it cannot, under any circumstances, be less than 2 guineas, but they think it more likely to be $2\frac{1}{2}$ guineas."

3.

" *University Press Office,*

" *Dublin, 20th January, 1845.*

" SIR,—In answer to your question relative to the expense of Mr. Petrie's 'Round Towers,' I beg in reply to state it is my opinion, that if the Royal Irish Academy had to pay the expense of the Drawings, and the Engravings from them of the numerous and finely-executed wood-cuts, together with the cost of printing and paper, and confined themselves to the printing of an edition of 500 copies (their usual number), each copy of the work would stand them in a sum above three pounds.

" I am, Sir, respectfully,

" Your very obedient and humble Servant,

" M. H. GILL.

" *James Mac Cullagh, Esq.*"